

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6258-CR-FERGUSON

UNITED STATES OF AMERICA)
)
)
 v.)
)
)
 HAMLET VARGAS, and)
 LIDIA ESTER RAMOS,)
)
 Defendants.)

~~GOVERNMENT'S SUPPLEMENTAL RESPONSE TO STANDING DISCOVERY ORDER~~

The United States of America hereby files this supplemental response to the Standing Discovery Order issued in this case. This supplemental response is numbered to correspond to that Order.

- A. 1. There were telephone conversations and meetings recorded during the investigation. Attached please find drafts of transcripts for tape recordings marked N-70, N-72, N-73, N-75, and N-76.

5. Books, papers, documents, etc., which the government intends to use as evidence at trial to prove its case in chief, or which were obtained from or belong to the defendant, may be inspected by making an appointment with undersigned counsel. Such items include, but are not limited to, the following, copies of which are attached: consent to search form executed by Katty Salvador on August 24, 2000; waiver of rights form executed by Katty Salvador; report of interview of Katty Salvador.

B. The United States requests the disclosure and production of materials enumerated as items 1, 2 and 3 of Section B of the Standing Discovery Order. This request is also made to pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.

D. The government is aware of payments, promises of immunity, leniency, or preferential treatment, made to prospective government witnesses within the scope of Giglio or Napue. CI1 and CI2 each

received a \$1500.00 payment for the reimbursement of expenses incurred in an unrelated investigation. For the instant case, CI1 received a payment of \$800.00 for the reimbursement of expenses incurred.

- E. The government is aware of a prior convictions of the informants who may testify for the government at trial. Both informants are cooperating with the government in hopes of receiving a substantial assistance motion from the federal government in a cocaine prosecution pending in Louisville, Kentucky.
- H. The government will advise the defendant prior to trial of its intent, if any, to introduce during its case in chief proof of evidence pursuant to F.R.E. 404(b). You are hereby on notice that all evidence made available to you for inspection, as well as all statements disclosed herein or in any future discovery letter, may be offered in the trial of this cause, under F.R.E. 404(b) or otherwise. See attached DEA-6 report dated November 19, 1997.
- K. Attached please find 2 reports analyzing the substances seized from the trunk of the Malibu and from 2 Rubbermaid containers found inside the residence of Katty Salvador.
- M. The government is unaware of latent fingerprints or palm prints which have been identified by a government expert as those of either defendant.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.

In addition to the request made above by the government pursuant to both Section B of the Standing Discovery Order and Rule (16)b of the Federal Rules of Criminal Procedure, in accordance with Rule 12.1 of the Federal Rules of Criminal Procedure, the government hereby demands Notice of Alibi defense; the approximate time, date, and place of the offense were:

1. Date: On or about August 23 and 24, 2000

Place: Pembroke Lakes Mall, Pembroke Pines, Florida;
Swayne Plumbing at 6299 Johnson Street,
Hollywood, Florida; Raymond's Grocery Store at
6301 Johnson Street, Hollywood, Florida; and
3361 SW 38 Street in Hollywood, Florida.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

By: Donald F. Chase II
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 17th day of January 2001 to Joaquin Perez, Esquire, and Nelson Rodriguez, Esquire, 6780 Coral Way, Miami, Florida 33155.

Donald F. Chase II
DONALD F. CHASE, II
ASSISTANT UNITED STATES ATTORNEY